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ATTACHMENT A

Project Information File No. 06-048

1. Applicant: Synergy Brookfield, LLC
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Newport Beach, CA 92663

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2. Applicant's Agent: Ms. Sherri Conley
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Phone: (949) 489-2700 Fax: (949) 489-0309

3. Project Name: Tract 60258 Project

4. Project Location: Santa Clarita, Los Angeles County
Longitude: 118° 29' 39"; Latitude: 34° 25' 40"
Longitude: 118° 29' 39"; Latitude: 34° 26' 16"
Longitude: 118° 29' 51"; Latitude: 34° 26' 16"
Longitude: 118° 30' 09"; Latitude: 34° 25' 52"
Longitude: 118° 30' 09"; Latitude: 34° 25' 39"
Longitude: 118° 30' 05"; Latitude: 34° 25' 36"
Longitude: 118° 29' 45"; Latitude: 34° 25' 38"
Longitude: 118° 30' 04"; Latitude: 34° 27' 07"
Longitude: 118° 29' 58"; Latitude: 34° 26' 16"
Longitude: 118° 29' 57"; Latitude: 34° 26' 30"
Longitude: 118° 30' 09"; Latitude: 34° 26' 29"
Longitude: 118° 30' 09"; Latitude: 34° 27' 07"

5. Type of Project: Housing construction

6. Project Purpose: The proposed project will develop 499 dwelling units.

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7. Project Description:

The project is located in the central portion of the City of Santa Clarita, in Los Angeles County, north of the merger of Interstate 5 (I-5) and the Antelope Valley Freeway (SR-14). The approximately 246-acre project site is located between Bouquet Canyon Road, Plum Canyon Road and Soledad Canyon Road. Existing residential communities are located to the northwest and east of the project site with residential communities under construction to the north. The Santa Clara River borders the southern portion of the project site with industrial facilities along the southern bank. Much of the land immediately adjacent to the project site is vacant, however, the surrounding area is rapidly being converted from undeveloped hillsides to new suburban uses.

The 246-acre site consists of approximately 70 acres of preserved open space. The remainder of the site totaling 176 acres is impacted by the construction of residential units, school, YMCA, parks, streets, manufactured slopes, and trails.

The Corps Section 404 application includes a detailed alternatives analysis and was submitted to the RWQCB as Exhibit E of the Section 401 application on March 20, 2006. Impacts to jurisdictional waters occur through limited filling in three, small, ephemeral drainages on the property. Filling will also occur in a fourth drainage (drainage "C" in the application) which receives flow from a stormdrain from a residential development to the east and maintains a mature riparian habitat.

The project consists of five buildable pad areas, separated by manufactured slopes, to accommodate changes in elevation grade. The project consists of four residential building pad areas; a 17.0 acre pad is proposed for 96 single-family units, and three pads are proposed for approximately 403 multi-family condominium and apartment units. In addition, the project includes a trail system that connects to regional trails as well as on-site trails. The future cross-valley connector road, Newhall Ranch Road, will provide access to the project site. The project also includes the extension of Golden Valley Road to Newhall Ranch Road; however, approximately 1,890-feet of Golden Valley Road is located outside the project boundaries. In order to provide access to the project site and comply with regional transportation plans, the Applicant proposes to construct the off-site 1,890-foot roadway segment as part of the

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project. The Corps confirmed the limits of jurisdiction during a site visit on April 21, 2005.

8. Federal Agency/Permit: U.S. Army Corps of Engineers
Individual Permit No. 2005-00887-AOA
9. Other Required Regulatory Approvals: California Department of Fish and Game
Streambed Alteration Agreement
10. California Environmental Quality Act Compliance: The City of Santa Clarita approved the project's Subsequent Final Environmental Impact Report (EIR No, 91-0675, SCH No. 92041046) on April 25, 2006.
11. Receiving Water: Santa Clara River (Hydrologic Unit No. 403.51)
12. Designated Beneficial Uses: MUN*, IND, PROC, AGR, GWR, FRSH, REC-1, REC-2, WARM, WILD, RARE, WET
- *Conditional beneficial use
13. Impacted Waters of the United States: Federal jurisdictional wetlands: 0.23 permanent acres (2,665 linear feet)
- Non-wetland waters (streambed): 0.99 permanent acres (13,938 linear feet)
14. Dredge Volume: None
15. Related Projects Implemented/to be Implemented by the Applicant: The Applicant has not identified any related projects carried out in the last 5 years or planned for implementation in the next 5 years.
16. Avoidance/ The Applicant has proposed to implement several Best

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Minimization
Activities:

Management Practices, including, but not limited to, the following:

Construction:

- Control fugitive dust through, watering and street sweeping
- Stabilize soil with hydroseeding
- Detain sediment-laden water and preventing hazardous material runoff with sandbag barriers
- Detain sediment-laden water with strawbale barriers.
- Detain sediment-laden water with silt fencing
- Stabilize construction ingress and egress and points where paved and unpaved roads meet
- Stabilize construction vehicle routes through watering, berms and/or paving
- Use geotextiles and mats to temporarily prevent water and wind induced erosion of exposed soils
- Drain slopes and channeling water with pipe drops, downdrains, and/or V-ditches

Low Impact Development

- **Bioretention Devices:** The project will include four bioretention devices in the multi-family residential area and the school and YMCA area. Bioretention is designed to provide volume reduction through infiltration and evapotranspiration, and water quality treatment through infiltration into the subsurface. The bioretention facilities are equipped with overflow devices that will drain excess runoff from large storms to the storm sewer.
- **Extended Detention Basins:** The project includes four extended detention basins designed to store stormwater runoff and retain it for 36 to 48 hours. The extended detention basins will incorporate dry extended detention to provide water quality treatment for storm flows and will also incorporate wetland

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vegetation in a low flow channel in the bottom of the basin for the treatment of dry weather flows and small storm events.

- **Vegetated Swales:** Vegetated swales are proposed along the interior major access road. The swales are engineered vegetation-line channels that provide water quality benefits in addition to conveying stormwater runoff.
- **CDS Unit-** One CDS unit is proposed to treat runoff from the lower section of Golden Valley Road. CDS units are in-line structures that reduce runoff velocities such that particulate matter falls out of suspension and settles into a collection chamber.

17. Proposed Compensatory Mitigation:

Mitigation for impacts to 1.22 acres of jurisdictional waters including 0.23 acre of the stormdrain supported wetland will occur off-site. Off-site mitigation is proposed at a 2:1 ratio for non-wetland waters and a 3:1 ratio for wetland waters, totaling 2.67 acres of mitigation. Off-site mitigation is focused on the Santa Clara River watershed.

In addition, approximately 10.48 acres of waters will be preserved on-site; including 9.95 acres of the Santa Clara River, 0.10 acre of the stormdrain supported wetlands and 0.43 acre of ephemeral waters. The preserved Santa Clara River will be deeded to the City as open space. Preserved waters will be enhanced by removing trash and non-native habitat and restoring with native habitat. Removal of non-native habitat and planting restoration will be monitored for five years pursuant to Corps mitigation requirements.

18. Required Compensatory Mitigation:

The Applicant shall provide compensatory mitigation for the permanent impacts to 0.23 acres within jurisdictional wetlands by creating or restoring 1.15 acres of jurisdictional wetland habitat, and for impacts to 0.99 acres jurisdictional vegetated streambed, 2.97 acres of shall be restored within the Santa Clara River watershed. Alternatively, the Applicant shall provide adequate funding to a third party organization for the creation or restoration of 8.54 acres of riparian habitat within waters of the United States/Federal jurisdictional wetlands. Mitigation shall be located within the Santa Clara River Watershed. See Attachment B, Items 21 through 25 for

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details regarding mitigation.

See Attachment B Conditions of Certifications, Additional Conditions for modifications and additions to the above proposed compensatory mitigation.

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Conditions of Certification File No. 06-048

STANDARD CONDITIONS

Pursuant to §3860 of Title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:

1. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and Article 6 (commencing with 23 CCR §3867).
2. This Certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. Certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the Applicant.

ADDITIONAL CONDITIONS

Pursuant to 23 CCR §3859(a), the Applicant shall comply with the following additional conditions:

1. The Applicant shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' (ACOE) Section 404 Permit and the California Department of Fish and Game's (CDFG) Streambed Alteration Agreement. **These documents shall be submitted prior to any discharge to waters of the State.**
2. The Applicant shall adhere to the most stringent conditions indicated with either this certification, the CDFG's Streambed Alteration Agreement, or the ACOE Section 404 Permit.
3. The Applicant shall comply with all water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region (1994)*.
4. The Avoidance/Minimization activities proposed by the Applicant as described in Attachment A, No. 15, are incorporated as additional conditions herein.

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5. The Applicant and all contractors employed by the Applicant shall have copies of this Certification, the approved maintenance plan, and all other regulatory approvals for this project on site at all times and shall be familiar with all conditions set forth.
6. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the State. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the State.
7. All excavation, construction, or maintenance activities shall follow best management practices to minimize impacts to water quality and beneficial uses. Dust control activities shall be conducted in such a manner that will not produce downstream runoff.
8. No construction material, spoils, debris, or any other substances associated with this project that may adversely impact water quality standards, shall be located in a manner which may result in a discharge or a threatened discharge to waters of the State. Designated spoil and waste areas shall be visually marked prior to any excavation and/or construction activity, and storage of the materials shall be confined to these areas.
9. All waste and/or dredged material removed shall be relocated to a legal point of disposal if applicable. A legal point of disposal is defined as one for which Waste Discharge Requirements have been established by a California Regional Water Quality Control Board, and is in full compliance therewith. Please contact Rodney Nelson, Land Disposal Unit, at (213) 620-6119 for further information.
10. The Applicant shall implement all necessary control measures to prevent the degradation of water quality from the proposed project in order to maintain compliance with the Basin Plan. The discharge shall meet all effluent limitations and toxic and effluent standards established to comply with the applicable water quality standards and other appropriate requirements, including the provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act. This Certification does not authorize the discharge by the applicant for any other activity than specifically described in the 404 Permit.
11. The discharge shall not: a) degrade surface water communities and populations including vertebrate, invertebrate, and plant species; b) promote the breeding of mosquitoes, gnats, black flies, midges, or other pests; c) alter the color, create visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters; d) cause formation of sludge deposits; or e) adversely affect any designated beneficial uses.

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12. The Applicant shall allow the Regional Board and its authorized representative entry to the premises, including all mitigation sites, to inspect and undertake any activity to determine compliance with this Certification, or as otherwise authorized by the California Water Code.
13. Application of pesticides must be supervised by a certified applicator and be in conformance with manufacturer's specifications for use. Compounds used must be appropriate to the target species and habitat. All pesticides directed toward aquatic species must be approved by the Regional Board. Pesticide utilization shall be in accordance with State Water Resources Control Board Water Quality Order Nos. 2004-0008-DWQ and 2004-0009-DWQ.
14. The Applicant shall not conduct any construction activities within waters of the State during a rainfall event. The Applicant shall maintain a **five-day (5-day) clear weather forecast** before conducting any operations within waters of the State. If rain is predicted, grading activities must cease immediately and the site must be stabilized to prevent impacts to water quality, and minimize erosion and runoff from the site.
15. Sediment removal at each phase shall not go beyond the extent as defined in the application packet.
16. The grading, stabilization and re-vegetation will be phased to limit the exposed or working face such that the graded area can be stabilized within 24 hours after the first prediction of rain during the 5-day forecast or within 24 hours after final grading of the phased area.
17. The Applicant shall utilize the services of a qualified biologist with expertise in riparian assessments during all construction activities where clearing involves areas to be partially cleared (i.e. some vegetation is to remain in the same reach or in an adjacent reach). The biologist shall be available on site during construction activities to ensure that all protected areas are marked properly and ensure that no vegetation outside the specified areas is removed. The biologist shall have the authority to stop the work, as necessary, if instructions are not followed. The biologist shall be available upon request from this Regional Board for consultation within 24 hours of request of consultation.
18. No activities shall involve wet excavations (i.e., no excavations shall occur below the seasonal high water table). A minimum **5-foot** buffer zone shall be maintained above the existing groundwater level. If construction or groundwater dewatering is proposed or anticipated, the Applicant shall file a **Report of Waste Discharge** to this Regional Board and obtain any necessary NPDES permits/Waste Discharge Requirements prior to discharging waste. Sufficient time should be allowed to obtain any such permits (generally 180 days). If groundwater is encountered without the benefit of appropriate permits, the Applicant shall cease all activities in the areas where groundwater is present, file a Report of

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Waste Discharge to this Regional Board, and obtain any necessary permits prior to discharging waste.

19. All project, construction and/or maintenance activities not included in this Certification, and which may require a permit, must be reported to the Regional Board for appropriate permitting. Bank stabilization and grading, as well as any other ground disturbances, are subject to restoration and revegetation requirements, and may require additional Certification action.
20. All surface waters, including ponded waters, shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. If surface water diversions are anticipated, the Applicant shall develop and submit a **Surface Water Diversion Plan** (plan) to this Regional Board. The plan shall include the proposed method and duration of diversion activities, structure configuration, construction materials, equipment, erosion and sediment controls, and a map or drawing indicating the locations of diversion and discharge points. Contingency measures shall be a part of this plan to address various flow discharge rates. The plan shall be submitted prior to any surface water diversions. If surface flows are present, then upstream and downstream monitoring for the following shall be implemented:
 - pH
 - temperature
 - dissolved oxygen
 - turbidity
 - total suspended solids(TSS)
 - Downstream TSS shall be maintained at ambient levels
 - Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%.

Analyses must be performed using approved US Environmental Protection Agency methods, where applicable. These constituents shall be monitored for on a daily basis during the first week of diversion and/or dewatering activities, and then on a weekly basis, thereafter, until the in-stream work is complete.

Results of the analyses shall be submitted to this Regional Board by the 15th day of each subsequent sampling month. A map or drawing indicating the locations of sampling points shall be included with each submittal. Diversion activities shall not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.

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21. The Applicant shall restore all areas of TEMPORARY IMPACTS to waters of the United States and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species. The Applicant shall implement all necessary Best Management Practices to control erosion and runoff from areas associated with this project.
22. The Applicant shall provide compensatory mitigation for the proposed permanent impacts to **0.23 acres** of vegetation within waters of the United States/Federal jurisdictional (Jurisdictional) wetlands by creating or restoring riparian habitat/Federal jurisdictional wetland habitat at a minimum **5:1** area replacement ratio (**1.15 acres**). Impacts to **0.99 acres** of Jurisdictional vegetated streambed shall be restored at **3:1** area replacement ratio (**2.97 acres**). As an alternative, the Applicant may provide adequate funding to a third party organization for the creation or restoration at a minimum **7:1** area replacement (0.23 +0.99 = 1.22 acres) ratio for a total of **8.54 acres** of riparian habitat within waters of the United States/Federal jurisdictional wetlands. The mitigation site shall be located within the Santa Clara River Watershed unless otherwise approved by this Regional Board.
23. If the Applicant proposes funding to a third-party organization for the creation or restoration of a total of **8.54 acres** of (1.61 acres of wetlands, 6.93 acres of vegetated streambed) riparian habitat within waters of the United States/Federal jurisdictional wetlands, then funding shall apply to mitigation acreage only, exclusive of administrative costs. The mitigation site shall be located within the Santa Clara River Watershed unless otherwise approved by this Regional Board. The Applicant shall submit a **Proposed Mitigation Report** which shall include:
 - (a) Documentation from the third party indicating that funds have been used for mitigation acreage only, which do not include administrative costs.
 - (b) The boundary of the mitigation site shall be clearly identified on a map of suitable resolution and quality and shall also be defined by latitude and longitude.
 - (c) The type(s) of mitigation shall be described (e.g., removal of exotics and/or replanting with native species, etc.)
 - (d) Success criteria shall be established.

This information shall be submitted to this Regional Board for approval prior to any disturbance within waters of the United States and shall include copies of all agreements made between the Applicant and a third party organization regarding compensatory mitigation efforts.

24. All open space and mitigation areas shall be placed within a conservation easement to ensure preservation in perpetuity. Documentation of proper easement placement shall be submitted to the Regional Board within one year.

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25. In accordance with the mitigation plan dated March 20, 2006, **10.48** acres of waters of the state will be preserved onsite, including **9.95 acres** of the Santa Clara River, **0.10 acres** of artificially created wetlands and **0.42 acre** of ephemeral waters. The preserved Santa Clara River will be deeded to the City as open space.
26. The Applicant shall submit to this Regional Board **Annual Mitigation Monitoring Reports** by **January 1st** of each year for a minimum period of **five (5) years** after planting or until mitigation success has been achieved. The report shall describe in detail all of the project/construction activities performed during the previous year and all restoration and mitigation efforts; including percent survival by plant species and percent cover. This report shall include as a minimum, the following documentation:
 - (e) Color photo documentation of the pre- and post-project and mitigation site conditions;
 - (f) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
 - (g) The overall status of project including a detailed schedule of work;
 - (h) Copies of all permits revised as required in Additional Condition 1;
 - (i) Water quality monitoring results for each reach (as required) compiled in an easy to interpret format;
 - (j) A certified Statement of “no net loss” of wetlands associated with this project;
 - (k) Discussion of any monitoring activities and exotic plant control efforts; and
 - (l) A certified Statement from the permittee or his/her representative that all conditions of this Certification have been met.
27. Prior to any subsequent maintenance activities within the subject drainages/basin, including clearing, maintenance by-hand, and/or the application of pesticides, the Applicant shall submit to this Regional Board a NOTIFICATION of any such activity. Notification shall include: (a) the proposed schedule; (b) a description of the drainage’s/basin’s existing condition/capacity; (c) the area of proposed temporary impact within waters of the State; (d) a description of any existing aquatic resources (e.g., wetland/riparian vegetation); and (d) any proposed compensatory mitigation. Notifications must be submitted a minimum of **three (3) weeks** prior to commencing work activities.

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Storm Water Discharges Associated with Construction Activity, Order No. 99-08-DWQ. All stormwater treatment systems shall be located outside of any water of the State and shall not be used as a wetland or riparian mitigation credit.

33. Coverage under this Certification may be transferred to the extent the underlying federal permit may legally be transferred and further provided that the Applicant notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new Applicants containing a specific date of coverage, responsibility for compliance with this Certification, and liability between them.
34. The Applicant or their agents shall report any noncompliance. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
35. *Enforcement:*
 - (a) In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.
 - (b) In response to a suspected violation of any condition of this Certification, the State Water Resources Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the SWRCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
 - (c) In response to any violation of the conditions of this Certification, the SWRCB or RWQCB may add to or modify the conditions of this Certification as appropriate to ensure compliance.

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36. This Certification shall expire **five (5) years** from date of this Certification. The Applicant shall submit a complete application prior to termination of this Certification if renewal is requested.